

11-05-04

FHW RCE

1646

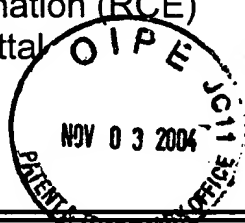
PTO/SB/30 (09-04)

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Application Number	09/902,713
Filing Date	07/10/2001
First Named Inventor	Audrey Goddard
Art Unit	1646
Examiner Name	Kemmerer, Elizabeth
Attorney Docket Number	39780-1618P2C34

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/ Declaration(s) of Paul Polakis, Ph.D.

iv. ☒ Other Return postcard

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 08-1641 I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) (Large Entity - \$790)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (Large Entity - 1 Month Extension - \$110)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	November 3, 2004
Name (Print/Type)	Leslie Mooi	Registration No.	37,047

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below Express Mail No.: EL 976 543 854 US			
Signature		Date	November 3, 2004
Name (Print/Type)	Leslie Mooi	Date	November 3, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc. No. 2076554



Practitioner's Docket No. 39780-1618 P2C34

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Kemmerer, Elizabeth
Audrey Goddard <i>et al.</i>) Art Unit: 1646
Application Serial No.: 09/902,713) Attorney's Docket No. 39780-1618 P2C34
Filed: July 10, 2001) Customer No. 35489
For: ANTIBODIES TO PRO269 POLYPEPTIDES) Confirmation No. 1320

EXPRESS MAIL: EL 976 543 854 US

DATE: November 3, 2004

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Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed on August 2, 2004 in connection with the above-identified patent application, please consider the following amendments and remarks. A request for a one month extension of time accompanies this response. A Request for Continued Examination accompanies this response. Attached is the declaration of Dr. Paul Polakis.

Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

11/08/2004 HALI11 00000101 081641 09902713
02 FC:1251 110.00 DA